

REMARKS

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

A. Status of the Claims and Explanation of Amendments

Claims 6, 7 and 9-15 were pending in this application. By this paper, claim 6 is amended to recite, *inter alia*, a “file generation unit which generates an image file including by storing the original image data, the first reduced image data corresponding to the original image data, the second reduced image data corresponding to the original image data and the thumbnail data of the original image data into one image file.” Support for the amendment can be found throughout Applicant’s original specification, including for example, Figures 4-6.

The 2/26/08 Office Action raised a formal objection directed to the descriptiveness of the title. [2/26/08 Office Acton at pg.2]. By this paper the title is amended. This amendment is believed to resolve the objection of the Office Action. Applicant notes, however, that the title has been amended to enable the United States Patent and Trademark Office and the public generally to determine quickly from a cursory inspection the nature and gist of the technical disclosure and to aid indexing, classifying and searching. [37 C.F.R. § 1.72(b); MPEP § 606.01]. This amendment is not intended to narrow, limit, alter or otherwise characterize what Applicant regards as the invention. It is, of course, the claims and not the title that defines the invention being claimed.

As to the merits, claims 6, 7 and 9-15 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent 6,734,909 (“Terane”) in view of U.S. Patent 6,674,472 (“Tsutsui”).

B. Claims 6, 7 and 9-15 are Patentably Distinct from Terane and Tsutsui.

The rejections of claims 6, 7 and 9-15 are respectfully traversed. As explained more fully below, the requirements for such rejections are not met. In particular, Terane and Tsutsui do not teach, disclose or suggest a “file generation unit which generates an image file including by storing the original image data, the first reduced image data corresponding to the original image data, the second reduced image data corresponding to the original image data and the thumbnail data of the original image into one image file,” as recited in claim 1.

Applicant’s claim 1 recites:

An image pickup apparatus comprising:

an image pickup unit which obtains original image data;

an image processing unit which generates first reduced image data, second reduced image data for enlargement display process of enlarging and displaying a part of the first reduced image data and thumbnail data from the original image data obtained by said image pickup unit, wherein the second reduced image data is larger than the first reduced image and the first image data is larger than the thumbnail data;

an image file generation unit which generates an image file by storing the original image data, the first reduced image data corresponding to the original image data, the second reduced image data corresponding to the original image data and the thumbnail data of the original image data into one image file;

an interface unit which writes the image file generated by said image file generation means in a recording medium and reads out the image file from the recording medium;

a display unit which displays the first reduced image data and the second reduced image data stored in the image file read out from the recording medium by said interface unit; and

a control unit which controls said display unit, in response to an instruction of enlarging the first reduced image data displayed by said display unit, so as to display the second reduced image data stored in the image file which stores the first reduced image data

and is read out from the recording medium by said interface unit instead of the first reduced image data.

Terane is directed towards an imaging device in which the access time to view sequential images is shortened. [Terane at col.1 lns.50-56]. For example, such a system could be useful to sequentially view the images stored within a digital camera on a built in display. [Terane at col.1 lns.23-29]. Terane makes use of thumbnail images, which can be displayed in a short time. While the user views the thumbnail image, the full image, which requires a longer time to enter the display memory, is read and then displayed when fully loaded. Should a different thumbnail be selected before the full image enters the memory, the reading of the full image is discontinued, the new thumbnail is displayed, and reading of the full image corresponding to the new thumbnail begins. [Terane at col.2 ln.57 – col.3 ln.8].

The Office Action conceded that Terane merely discloses “an image file including the original image data and thumbnail data.” [2/26/08 Office Action at pg.3]. That is, Terane does not teach stored “first reduced image data corresponding to the original image data, [and] second reduced image data corresponding to the original image data.”

Tsutsui is directed towards a digital camera and method for displaying pages containing a plurality of thumbnail images. [Tsutsui at col.1 ln.65- col.2 ln.2]. The user may select the number of thumbnail images displayed per page, after which Tsutsui determines the total number of pages needed to display all thumbnails and processes the individual thumbnails to form composite grid/matrix pages containing the designated number of thumbnails per page. [Tsutsui at col.5 ln.59 to col.6 ln.53].

The Office Action alleged that Tsutsui disclosed a first reduced image, second reduced image (citing Tsutsui Fig.9A) and thumbnail data (citing Tsutsui Fig.9B), where the

first reduced image is larger than the second reduced image and the second reduced image is larger than the thumbnail. [2/26/08 Office Action at pg.4].

Even assuming *arguendo* that Tsutsui discloses that “images of different image sizes may be generated,” this does not address storage of images of different sizes. For example, Tsutsui discloses “[a]n image data file [which] includes an image header, image data, and a thumbnail image corresponding to the image data, . . .” [Tsutsui at col.5 lns.16-17]. This is contrary to Applicant’s claim 1, which recites “an image file by storing the original image data, the first reduced image data corresponding to the original image data, the second reduced image data corresponding to the original image data and the thumbnail data of the original image data into one image file.” Furthermore, although Tsutsui allegedly discloses “images of different image sizes may be generated,” it **refrains from storing** these images into an image file, except for the original image and a thumbnail. In fact, rather than storing these images, Tsutsui teaches performing image processing to adjust the size of a stored thumbnail in order to create various sized images for its pages of thumbnail matrices. [Tsutsui at col.6 lns.47-51, Fig.9A, Fig.9B].

Accordingly, as Applicant cannot find “an image file generation unit which generates an image file by storing the original image data, the first reduced image data corresponding to the original image data, the second reduced image data corresponding to the original image data and the thumbnail data of the original image data into one image file,” of claim 6 in Terane or Tsutsui, at least independent claim 6 its dependent claims 7 and 9-15 are respectfully asserted to be in condition for allowance.

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CONCLUSION


For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5158.

Respectfully submitted,
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